

## **REMARKS**

Claims 1-8 were reported in the Office Action as pending. Claims 1-8 are rejected. Claims 1, 4 and 6-8 are merely amended in order to more particularly point out and distinctly claim the subject matter of the present invention without adding any new matter. Claims 1-8 remain.

Applicant requests reconsideration of the application in view of the following remarks.

It is asserted in the Office Action that Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Gunnarsson et al. (US 2003/0118015). In response, Applicant traverses the rejection for the following reasons.

Gunnarsson et al. does not teach, disclose or even suggest a wireless LAN service determination means for determining whether or not there is an access point of a wireless LAN providing wireless data service based on broadcasting information targeting all mobile stations within a service area of a base station as defined by amended claims 1, 4 and 6.

Gunnarsson et al. is similar in that a wireless communication network informs a mobile terminal that there is an existing wireless LAN AP, and the mobile terminal starts searching the wireless LAN AP based on the received information, since both techniques use a wireless LAN when there is a capable wireless LAN AP. However, Gunnarsson et al. merely discloses informing each mobile terminal whether there is a capable wireless LAN AP while the present invention discloses and claims informing the existence of a capable wireless LAN AP to every mobile terminal in the service area by broadcasting information to minimize the load of the network.

Moreover, as the subject of the identifier of the wireless LAN AP, the network itself identifies the wireless LAN AP in Gunnarsson et al. so that it needs to constantly track down every mobile terminal whether mobile terminals are moving near to the AP or not, while the present invention transmits the broadcast information only once when setting the AP, by registering at the base station whether there is a capable wireless LAN AP. That is, the present information is different from Gunnarsson et al. by sending the information to the unspecified mobile terminals, i.e., all mobile terminals, by sending broadcast information, while Gunnarsson et al. sends the information to each terminal individually. In particular, the present invention is suitable for use in an urban area where service areas are small. One key aspect of the present invention is a Cell-planning method, matching the base station service area to the wireless LAN AP service area.

As described above, Gunnarsson et al. is different from the present invention in that Gunnarsson et al. does not determine whether or not there is the wireless LAN AP providing wireless data service based on broadcasting information targeting all mobile stations within the service area of the base station as claimed. Thus, the present invention is not anticipated by Gunnarsson et al.

Accordingly, reconsideration and withdrawal of the rejection of Claims 1-8 under 35 U.S.C. 102(e) as being anticipated by Gunnarsson et al., is respectively requested.

In view of the foregoing, Applicant submits that all pending claims, namely Claims 1-8 are patentably distinct over the prior art of record and are now in condition for allowance, which early Action is requested.

If there are any fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. If a telephone interview would expedite the prosecution of this Application, the Examiner is invited to contact the undersigned at (310) 207-3800.